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EXAMINER

RETTA, YEHDEGA

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3622

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/995,278	Applicant(s) SALIBA ET AL.	
	Examiner Yehdega Retta	Art Unit 3622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 4-6, 8, 10-16, 19-24 and 47-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

This office action is in response to amendment filed August 14, 2008. Claims 22 and 47 have been amended and claim 52 has been added. Claims 1, 4-6, 8, 10-16, 19-24 and 47-52 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 22 recites: *whereupon activation of the option on the hosting entity's page by a particular user of the hosting entity, linking to the third party's network site without requiring the particular user to first register with the third party and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page at the third party's network site and presenting the new page at the third party's network site that identifies the hosting entity as sponsoring access to the user-specific data and associates the user-specific data with a provider of the user-specific data.*

It is unclear how by presenting a new page at the third party the hosting entity is identifies as sponsoring access to the user-specific data associated with user-specific data Just presenting a new page at the third party does not provide the newly added feature.

Claim Rejections - 35 USC § 103

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The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 4-6, 8, 10-16, 19-21 and 47-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ganesan (US 6,055,567) further in view of Tobin (US 6,141,666).

Regarding claim 1, Ganesan teaches a page on a network site sponsored by a hosting entity (banking entity) (see fig. 8-16); an option to view user-specific data, wherein the user specific data is located at a network site owned by a third party that is independent from the hosting entity (biller) (see fig. 6, 7 and 10); registering users with the hosting entity (see fig. 11); wherein the activation of the option on the hosting entity's page, linking to the third party network's site, wherein the linking comprises addressing a universal resource locator (URL associated with the third party's network site and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page (see fig. 19) (see also col. 2 line 45 to col. 3 line 13, col. 16 line 9 to col. 18 line 20). Ganesan teaches the banking entity 54, which is typically, a Financial Institution, is generally viewed as a primary point of presence for a subscriber to the system 50, typically providing an appearance of aggregation to the subscriber. Ganesan teaches this view is held primarily due to the trust that consumers typically place in a bank brand, and the fact that bank customers who already bank online are also likely to want to receive bills online. Ganesan teaches the bank being identified in a new page (see fig. 17-19, col. 2 line 45 to col. 3 line 13, col. 8 line 38 to col. 9 line 32). Ganesan does not teach presenting, to the particular user, the new page at the third party's network site that

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incorporates the user-specific data and that identifies the hosting entity (the banking entity), it is taught in Tobin. Tobin teaches if a consumer were to visit one of the private label floral and gift services home page of the Internet site "Homearts", all the graphics and product categories on each of the PC Flowers & Gifts Web site pages, available through a hypertext link from a Homearts Web site, are fully customized in graphic and content format to reflect only the Homearts brand name (see col. 5 line 18 to col. 6 line 19). It would have been obvious to one of ordinary skill in the art at the time of the invention to provide page formatting information of the bank to a web site available through the hyperlinks (third party sites) from the hosting site (bank) of Ganesan, so that the Web site pages provides by the third party are customized in both a graphic and a content format of the bank so as to take advantage of the consumer's familiarity and the consumer's trust in the banking entity's established brand name, or the consumer's existing relationship with the participating Web site , as taught in Tobin.

Regarding claim 4, Ganesan as modified by Tobin teaches providing a return URL for returning to the hosting entity's site (see fig. 17-19, col. 2 line 45 to col. 3 line 13, col. 8 line 38 to col. 9 line 32).

Regarding claims 5 and 6, Ganesan as modified by Tobin teach the page on the network site sponsored by the hosting entity identifies the hosting entity; the linking to the third party's network site does not expose this transfer to the particular user; and the presenting, to the particular user, the new page at the third party's network site also identifies the hosting entity without identifying a network address of the third party's network site (see fig. 17-20).

Regarding claims 8, 10 and 11, Ganesan as modified by Tobin teaches page formatting information that is used by the third party site to present new page, the page formatting

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information enabling an appearance of the new page that resembles the page presented by the hosting site, addressing a URL associated with the third party site and sending a token identifying the particular user to locate the user-specific data, option to activate an additional function (see fig 17-19, col. 2 line 45 to col. 3 line 13, col. 16 lines 8-65).

Claim 12 is rejected as stated above in claim 1.

Regarding claims 22, 23 and 52, Ganesan teaches user to register with a hosting entity; offering a page on a network site sponsored by a hosting entity (banking entity) (see fig. 10-15); an option to view user-specific data, wherein the user specific data is located at a network site owned by a third party (billing entity) that is independent from the hosting entity (see fig. 10-15 col. 16 lines 9-65); registering users with the hosting entity (see fig. 16, col. 16 lines 16-22); linking to the third party network's site and enabling access to the site; presenting user a new page at the third party's site, *wherein the provider of the user-specific data is a biller (see fig. 18, 19)*; with out identifying the network address associated with the third party's network site (see fig. 17-20) (see also col. 2 line 45 to col. 3 line 13, col. 7 line 64 to col. 8 line 10, col. 16 line 9 to col. 18 line 20).

Presenting the new page at the third party's network site that identifies the hosting entity **as sponsoring access to the user-specific data and associates the user-specific data with a provider of the user-specific data** is nonfunctional descriptive material. Thus, this nonfunctional descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (fed. Cir. 1994).

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The claim recites, "so that the third party may identify the hosting entity in a new page".

The feature is just intended use.

Claim 24 is rejected as stated above in claim 11.

Regarding claim 13, Ganesan teaches presenting a page on a site sponsored by hosting entity (banking entity) to a particular user; user required to logon (see fig. 16); offering an option to view user-specific data located at a network site owned by a third party (biller); linking to the third party's site; enabling access to the third party's site without logging on with the third party site; (see fig. 17-19, col. 2 line 45 to col. 3 line 13, col. 7 line 64 to col. 8 line 10, col. 8 line 65 to col. 9 line 13 and col. 16 lines 9-23). Ganesan does not teach presenting, to the particular user, the new page at the third party's network site that incorporates the user-specific data and that has the appearance of the page presented by the hosting entity's network site, it is taught in Tobin. Tobin teaches a link to a third party network site, page formatting information to present a new page by the third party network, the page formatting information enabling an appearance of the new page that resembles the page presented by the hosting entity's network site. Tobin teaches if a consumer were to visit one of the private label floral and gift services home page of the Internet site "Homearts", all the graphics and product categories on each of the PC Flowers & Gifts Web site pages, available through a hypertext link from a Homearts Web site, are fully customized in graphic and content format to reflect only the Homearts brand name (see col. 5 line 18 to col. 6 line 19). It would have been obvious to one of ordinary skill in the art at the time of the invention

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to provide page formatting information of the bank to a web site available through the hyperlinks (third party sites) from the hosting site (bank) of Ganesan, so that the Web site pages provides by the third party are customized in both a graphic and a content format of the bank so as to take advantage of the consumer's familiarity and the consumer's trust in the banking entity's established brand name, or the consumer's existing relationship with the participating Web site , as taught in Tobin.

Regarding claims 14-16, Ganesan teach the page on the network site sponsored by the hosting entity identifies the hosting entity; the linking to the third party's network site does not expose this transfer to the particular user; and the presenting, to the particular user, the new page at the third party's network site also identifies the hosting entity without identifying a network address of the third party's network site (see fig. 17-20).

Regarding claims 19 and 20, Ganesan teaches page formatting information that is used by the third party site to present new page, the page formatting information enabling an appearance of the new page that resembles the page presented by the hosting site, addressing a URL associated with the third party site and sending a token identifying the particular user to locate the user-specific data, option to activate an additional function (see fig 17-19, col. 2 line 45 to col. 3 line 13, col. 16 lines 8-65).

Claim 21 is rejected as stated above in claim 13.

Regarding claims 47, 48 and 51, Ganesan teaches receiving, at a third party network site an identifier which identifies a financial institution; and a token that identifies a customer of the financial institution; retrieving data associated with the customer of the financial institution using the token; and displaying the data associated with the customer of the financial

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institution on the web page *in which the data is associated with the third party (billing statement associated with the biller)* (see fig. 17-19, col. 2 line 45 to col. 3 line 13, col. 7 line 64 to col. 8 line 10, col. 8 line 65 to col. 9 line 13 and col. 16 lines 9-23). Ganesan does not teach receiving branding indicia of the financial institution; presenting a web page at the third party network site that is formatted, branded and styled to resemble a web page of the financial institution, it is taught in Tobin. Tobin teaches if a consumer were to visit one of the private label floral and gift services home page of the Internet site "Homearts", all the graphics and product categories on each of the PC Flowers & Gifts Web site pages, available through a hypertext link from a Homearts Web site, are fully customized in graphic and content format to reflect only the Homearts brand name (logo) (see col. 5 line 18 to col. 6 line 19). It would have been obvious to one of ordinary skill in the art at the time of the invention to providing page formatting information of the bank to web site available through the hyperlinks (third party sites) from the hosting site (bank) of Ganesan, so that the Web site pages provides by the third party are customized in both a graphic and a content format of the bank to take advantage of the consumers familiarity and the consumer's trust in the bank site's established brand name, or the consumer's existing relationship with the participating Web site, as taught in Tobin.

Regarding claim 49, Ganesan teaches supplying a return universal resource locator (URL) to the third party network site for use in linking to a network site of the financial institution (see fig. 17-19, col. 2 line 45 to col. 3 line 13, col. 8 line 38 to col. 9 line 32).

Regarding claim 50, Ganesan teaches wherein the web page at the third party network site identifies the financial institution without identifying a network address of the third party network site (see fig. 17-20).

Response to Arguments

Applicant's arguments filed August 14, 2008 have been fully considered but they are not persuasive. Applicant argues that the Ganesan reference merely teaches that a billing entity frame may be provided on the banking entity's home page and does not teach or suggest "offering as part of the page an option to view user-specific data, wherein the user-specific data is located at a network site owned by a third party that is independent from the hosting entity" or "whereupon activation of the option on the hosting entity's page by a particular user of the hosting entity, linking to the third party's network site, wherein the linking comprises addressing a universal resource locator (URL) associated with the third party's network site and sending an identity of the hosting entity to the third party so that the third party may identify the hosting entity in a new page". Examiner respectfully disagrees. As indicated below Ganesan clearly teaches, an option to view user-specific data wherein the specific data is located at a network site owned by a third party i.e. when the subscriber selects the "gas bill" icon 146 the subscriber is linked to the billing entity and the billing entity presents detailed bill data (user specific data); and the page is presented with the banking entity's branded interface presented by the bank (see also fig. 16-19)

Ganesan teaches as follows:

Referring to FIGS. 10-15, there are shown flowchart diagrams of data and message flows between the various entities within the system 50. These flowchart diagrams assume that the user entity 52 is an HTML browser client, the banking entity 54 is the primary point of presence for a subscriber to the system 50, the billing entity 56 controls bill presentment, and the EPCS entity 58 controls bill payment.

In FIG. 10, a subscriber at the user entity 52 accesses the web site of the banking entity 54 in step 200. In return, the banking entity 54 presents a branded interface to the user entity 52, including a sign-on request prompt in step 202. FIG. 16 shows an example of such a branded

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interface 120, wherein the sign-on request prompt includes a username field 122 and a password field 124.

In FIG. 11, the user entity 52 submits a sign-on request with authentication credentials in steps 204. The banking entity 54 messages the EPCS entity 58 with the authentication credentials of the subscriber and the event is logged in step 206. The EPCS entity 58 provides a security ticket to the banking entity 54 in step 208. ***The banking entity 54 delivers the security ticket to the user entity 52 and presents its "home page" to user entity 52 in step 210. FIG. 17 shows an example of such a home page 130, which includes a "view bills" icon 132, a "view checking account" icon 134, and a "view savings account" icon 136.*** (Same as applicant's fig. 2)

It should be noted that either the EPCS entity 58 or the banking entity 54 could perform the authentication procedure, but in either case the event is still logged in the event tracking database.

In FIG. 12, ***the subscriber selects the "view bills" icon 132 in step 212.*** The banking entity 54 messages the EPCS entity 58 with an aggregation data request and the event is logged in step 214. The EPCS entity 58 presents aggregation data of new bill availability to user entity 52 in step 216. ***FIG. 18 shows a first modified home page 140 having an EPCS entity frame 142 presenting the new bill availability data, which includes an "electric bill" icon 144, a "gas bill" icon 146, a "phone bill" icon 148, a "cable bill" icon 150, a "credit card bill" icon 152, and an "all bills" icon 154 which allows all bills to be presented simultaneously, albeit in separate frames.*** (Same as applicant's fig. 3)

In FIG. 13A, ***the subscriber selects the "gas bill" icon 146 and is linked to the billing entity 56 along with the security ticket in step 218.*** The billing entity 56 messages the EPCS entity 58 to log the "view bill" request event in step 220. ***The billing entity 56 presents detailed bill data to the user entity 52 in step 222. FIG. 19 shows a second modified home page 160 having a billing entity frame 162 presenting the detailed bill data, which includes the subscriber name, subscriber address, account number, usage, and cost, and a "pay bill" icon 164.*** (Same as applicant's figure 4)

Applicant also argues that Tobin does not correct Ganesan's failure to teach "enabling access to the third party's network site without registering the particular user with the third party". Applicant also argues that Ganesan also does not teach or suggest this feature as a user never leaves the bank's website. Examiner again disagrees with applicant.

Ganesan teaches that the user is ***linked*** to the biller's site (third party) (the subscriber selects the

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"gas bill" icon 146 and *is linked to the billing entity 56* along with the security ticket in step 218.

The billing entity 56 messages the EPCS entity 58 to log the "view bill" request event in step 220. The billing entity 56 presents detailed bill data to the user entity 52 in step 222) (see also fig. 13). According to applicant's specification see ([0022]), "(w)hen a customer of the financial institution wishes to access the customer-specific data supplied by the third party, the financial institution *links* to the third party without exposing this transfer to the customer". Same as applicant's invention.

As indicated above it is clear in Ganesan that when the subscriber selects the "gas bill" icon 146 the subscriber is linked to the billing entity and the billing entity presents detailed bill data (user specific data); and the page is presented with the banking entity's branded interface presented by the bank (see also fig. 16-19) (**the subscriber selects the "gas bill" icon 146 and is linked to the billing entity 56 along with the security ticket in step 218.** The billing entity 56 messages the EPCS entity 58 to log the "view bill" request event in step 220. **The billing entity 56 presents detailed bill data to the user entity 52 in step 222. FIG. 19 shows a second modified home page 160 having a billing entity frame 162 presenting the detailed bill data, which includes the subscriber name, subscriber address, account number, usage, and cost, and a "pay bill" icon 164.** (see also In FIG. 13A). However it is not clear that once the user is linked to the biller site if the branding (with the identity of the bank) is done at the third party (biller) (sending the identity of the hosting entity to the third party as recited in claim 1) and presenting the new page at the third party.

Tobin teaches the branding

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Tobin teaches for, example, if a consumer were to visit one of the private label floral and gift services home page of the Internet site "Homearts" (host), all the graphics and product categories on each of the PC Flowers & Gifts Web site pages (third party), available through a hypertext link from a Homearts Web site (host site), are fully customized in graphic and content format to reflect only the Homearts brand name (host identity).

Further Tobin teaches as follows:

“Still referring to FIG. 11C, like the home page image map 101 discussed above, the home page image map 1101 herein is a grouping of the hypertext links 108-112, which point to Web site pages that are dynamically created to reflect preferences of the marketing partner, which in this instance is Pathfinder. Accordingly, all the server Web site pages accessed through the home page image map 1101 lead to PC Flowers & Gifts Web site pages that have been customized with graphic, text, or navigational features according to Pathfinder's preferences. For example, the header 1116 is customized to include the Pathfinder brand 1116', and the navigational features 1102 of the Pathfinder Internet site are retained. Such a co-branding of Web site pages takes advantage of the client's existing relationship and familiarity with the marketing partner, Pathfinder. In addition, the hypertext link grouping 1103 retains the links 102-107 of the PC Flowers & Gifts Web site pages, however, like the home page image map 1101, the hypertext link grouping 1103 provides jumps to PC Flowers and Web site pages that are dynamically created to be co-branded with the Pathfinder name brand”.

Therefore, Tobin teaches after a user selects one of the options (link to third party web site) a new page at the third part is presented with the identity of the Homearts (host) to take advantage of clients existing relationship and familiarity with navigational feature of the Host.

In regard to applicant's argument that Tobin specifically teaches that the flower shop and the marketing company are to have a preexisting relationship, e.g., the flower shop "depends" on the marketing company to provide webpages on behalf of the flower shop. Examiner would like to point out that whether the different entities have preexisting relationship or not is not part of

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the claimed feature and also does not distinguish the claimed invention from the prior art.

However the billers also have existing relationship with the bank, i.e. to provide the billing statements or a link to the biller via a banking entity. In regard to applicant's argument that Tobin is silent on the feature of "without registering the particular user" (arguments against the references individually), one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yehdega Retta whose telephone number is (571) 272-6723. The examiner can normally be reached on 8-4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

YR

/Yehdega Retta/
Primary Examiner, Art Unit 3622